



## Austin City Council MINUTES

For JULY 7, 1983 - 12:45 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

### City Council

Ron Mullen  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

#### Council Members

Mark Rose  
Roger Duncan  
Sally Shipman  
Mark E. Spaeth  
Charles E. Urdy

Nicholas M. Meiszer  
City Manager

Elden Aldridge  
Acting City Clerk

### Memorandum To:

Mayor Mullen called to order the meeting of the Council scheduled for 12:45 p.m., noting the absence of Councilmembers Shipman and Rose who he said were out of town.

#### BUSINESS COMMUNITY DISCUSSED

Ms. Portia A. Watson appeared before Council to discuss the East Austin business community and requested funds. Mayor Mullen referred her to the City Manager's office.

#### AQUA FESTIVAL

Mr. Bill Harris appeared before Council to request City support to conduct the Austin Aqua Festival and presented Skipper Pins to Councilmembers.

#### Motion

The Council, on Mayor Pro Tem Treviño's motion, Councilmember Spaeth's second, approved City support to conduct the Austin Aqua Festival. (5-0 Vote, Councilmembers Rose and Shipman absent.)

#### MORATORIUM EXEMPTION REQUESTED

Mr. C.R. Gilstrap appeared before Council to request exemption from moratorium for property located at 1800 Stassney Lane. Councilmember Duncan requested this be placed on the July 14, 1983 agenda and asked that all other requests for moratorium exemptions be placed directly on the agenda.

## SPECIAL PERMIT VIOLATIONS

Ms. Pauline Gamble appeared before Council to discuss Special Permit violations. As president of Southwest Neighborhood Association she said she wanted to discuss violations of zoning on Special Permit C14-082-61 by Mr. Rick Goldberg. She said there is a drainage problem and showed slides. She also discussed the buffer zone.

## CITIZEN DID NOT APPEAR

Byron Taylor who had requested to discuss certain issues did not appear.

## SPEED LIMITS DISCUSSED

Mr. James Essler appeared before Council to discuss the speed limits in the 1500-2300 blocks of Winsted Lane. He said that they had been raised with no public notice and he feels 25 miles per hour is a reasonable speed. Councilmember Duncan requested a copy of Mr. Essler's comments.

## EXEMPTION REQUESTED

Mr. Ernest Perales appeared before Council to request exemption from Capital Recovery Fee Ordinance for property located at 3701 Clawson Road - C14-81-208, Hidden Valley Condominiums.

Mr. Paul Tovar who had requested to appear concerning exemption from Capital Recovery Fee Ordinance, did not appear.

Council directed that this be included in the July 14, 1983 agenda.

## PROCLAMATION FOR LIZ CARPENTER

Mayor Mullen read a proclamation honoring Liz Sutherland Carpenter for her many contributions to the communications field and proclaiming July 7, 1983 as Liz Sutherland Carpenter Day in Austin.

## CONSENT ORDINANCES

The Council, on Councilmember Urdy's motion, Councilmember Spaeth's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (5-0 Vote, Councilmembers Rose and Shipman absent.)

Operating Budget Amendment

Amended the 1982-83 Operating Budget by:

AMENDMENT - (Continued)

- a. Accepting \$2,214 from the Capital Area Planning Council under Title III of the Older Americans Act of 1965, as amended.
- b. Appropriating \$16,259,596 EPA Grant Funds to construct the Govalle Wastewater Treatment Plant renovation and the digesters and hyacinth pond covers at Hornsby Bend. (64% of estimated costs)

Austin CableVision Equipment Fund

Approved authorizing the purchase of Neighborhood Production Facility Video Equipment in the amount of \$19,800 from the Austin CableVision Equipment Fund.

Interim Access Management Contract

Approved extension of the current interim access management contract with Austin Community Television Incorporated (ACTV) for an amount of \$15,207 per month and a period not to exceed September 30, 1983.

Cable Franchise Amendment Ordinance

Approved amending the Cable franchise ordinance in order to allow Austin CableVision a six month deferral of providing a home and business security system.

CompuVid AlphaNumeric System

Approved the expenditure of \$15,503 from the Austin CableVision Equipment fund in order to purchase a CompuVid AlphaNumeric System.

Speed Zones

Amended the Austin City Code to modify the following Speed Zones:

Section 11-2-99(d) - School Speed Zone - 20 mph

ADD: Manchaca Road from 308 feet south of Prather Lane (south curb) to 178 feet north of Prather Lane (north curb)

Northeast Drive from Bradley Drive (east curb) to Auburn Drive (west curb)

East 38 ½ Street from 100 feet west of Clarkson to Cherrywood Road (west curb)

DELETE: East 38½ Street from 100 feet west of Clarkson to 100 feet east of T&NO Railroad tracks

**CONSENT RESOLUTIONS**

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmembers Rose and Shipman were absent)

**Disposition of City-Owned Real Estate**

Approved disposition of certain City-owned real estate:

- P-103 - located at 1301 West 25th Street. Bought for intersection improvements at 25th and Lamar in 1966. Sold to Edward Gillen & Pete Vescovo for \$430,167.00.
- S-163 - Located on Moore Road approximately 1/3 mile east of FM 973. Bought for electrical transmission line in 1980. Sold to Malene Howard for \$6,160.00

**Sale of City-Owned Real Estate**

Approved the sale of certain City-owned real estate, S-160A, William Cannon at Circle S Road to Pasco Mortgage Corporation for \$13,600.00.

**Release of Easements**

Authorized release of the following easements:

- a. A portion of a Water Line Easement recorded in Volume 1446, Page 289, No. 4; a portion of a Sanitary Sewer Easement recorded in Volume 1446, Page 289, No. 1; a portion of a Sanitary Sewer Easement recorded in Volume 1023, Page 609, No. 1 of the Travis County Deed Records, Burnet Road at R.R. 2222. (Requested by The W. E. Simpson Company, Inc.)
- b. A Public Utility and Drainage Easement dedicated by plat of the Courtyard Phase Two, Block B, Lot 10 and release of a portion of an overlapping 15' Sanitary Sewer Easement as recorded in Volume 6027, Page 1557, of the Travis County Deed Records, 5702 Scout Island Cove. (Requested by Mr. Rayford Price, owner)
- c. A portion of a 25' Drainage Easement located on Tract 3, Barton Market Square Section II, Prather Lane at Keats Drive. (Requested by Cunningham/Graves, Inc.)
- d. A portion of an Inundation Easement of record in Volume 300, Page 180 of the Travis County Deed Records insofar as it affects Lot 1, Block A, The Courtyard Phase 5, Courtyard Drive at Loop 360. (Requested by Brown, Maroney, Rose, Baker and Barber)
- e. The 10' Public Utility Easement on the common lot line of Lots 42 and 43, Highland Park West locally known as 5110 Valley Oak Drive. (Requested by Mr. and Mrs. Charles Williams)
- f. A 5' Public Utility Easement on Lot 2-A Yates Addition, 2104 Cullen Avenue. (Requested by Ultra Investments, Inc.)

Capital Improvements Program

Approved acquisition of a wastewater lift station site and related wastewater and public utility easements for the Onion Creek Wastewater Improvements. CAPITAL IMPROVEMENTS PROGRAM No. 73/23-11.

Contracts Approved

Approved the following contracts:

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|--|--|
| a. AUSTIN ROAD COMPANY<br>428 East Anderson Lane<br>Austin, Texas                                | - CAPITAL IMPROVEMENTS PROGRAM -<br>Circle "S" Road and South<br>Congress Avenue Intersection<br>Public Works Department -<br>\$36,723.20 C.I.P. No. 78/62-02          |
| b. NIGGEL ASSOCIATES OF HOUSTON, INC.<br>10026 Sussex Lane<br>Austin, Texas                      | - CAPITAL IMPROVEMENTS PROGRAM -<br>South Austin Gym Floor<br>Resurfacing, Public Works<br>Department - \$19,280.00<br>C.I.P. No. 77/86-18                             |
| c. TRANS -TEX SUPPLY COMPANY<br>4618 East 7th Street<br>Austin, Texas                            | - CAPITAL IMPROVEMENTS PROGRAM -<br>Ductile Pipe and Fittings,<br>Water and Wastewater Department<br>Item 1 - 7 - \$9,921.95<br>C.I.P. No. 82/23-85                    |
| d. POWER ENTERPRISES, INC.<br>Power Structure Division<br>2407 Engineers Road<br>Bella Chase, LA | - CAPITAL IMPROVEMENTS PROGRAM -<br>Tubular Steel Transmission<br>Poles, Electric Utility Department<br>Items 1 thru 18 - \$468,195<br>C.I.P. Nos: 75/13-07 & 75/13-06 |
| e. SIEMENS-ALLIS, INC.<br>11506 S. Main Street, Suite 400<br>Houston, Texas                      | - Bushings, Electric Utility<br>Department<br>Item 1 - \$5,188.00  |
| f. ALLIED METALS, INC.<br>2220 Canada Dry Street<br>Houston, Texas                               | - Tubular Bus Aluminum Seamless<br>Pipe, Purchases and Stores<br>Department<br>Item 2 - \$5,451.42   |
| g. CLOSNER EQUIPMENT COMPANY<br>1415 West Poplar<br>San Antonio, Texas                           | - Self-propelled Paver, Vehicle<br>and Equipment Services Department<br>Item 1 - 1 ea. - \$14,404.00   |
| h. J. H. EMERSON<br>22 Cottage Park Avenue<br>Cambridge, MA                                      | - Ventilator for Brackenridge<br>Hospital<br>Item 1 - 1 ea. - \$5,871.00   |

## CONTRACTS - (Continued)

- |  |   |
|--|---|
| i. HEWLETT PACKARD<br>205 Billy Mitchell Drive<br>San Antonio, Texas   | - ECG Monitor for Brackenridge<br>Hospital<br>Item 1 - 1 ea. - \$6,010  |
| j. UNION METAL MANUFACTURING COMPANY<br>8428 Kate Street<br>Dallas, Texas                                    | - Streetlight poles and related<br>hardware for Electric Utility<br>Department<br>Items 1 - 4 - \$27,095.00                             |
| k. CONSOLIDATED BATTERY<br>906 Prairie Trail<br>Austin, Texas  | - Automotive Batteries, Vehicle<br>Equipment Services Department<br>Twelve (12) Months Supply Agreement<br>Item 1 thru 37 - \$57,588.00 |
| l. HOFFMAN AIR & FILTRATION SYSTEMS<br>c/o Bruce A. Wilson Company<br>1462 Brittmoore Road<br>Houston, Texas | - Air Blower System, Water and<br>Wastewater Department<br>Items 1 thru 5 - \$43,289.00   |
| m. SOUTHERN HERMETICS, INC.<br>909 Turner Street<br>Houston, Texas   | - Trane Compressor, Water and<br>Wastewater Department<br>Item 1 - \$7,300  |

Equipment Title Transfer

Approved transfer title of equipment purchased through Federal Capitation grant funds to Austin Community College to be utilized for the original intended purpose of improvement of the nursing education program.

Audiological Testing

Approved contract with the Texas Department of Mental Health and Retardation, through its Austin State School, to provide audiological testing for children birth to three (3) years.

UT Shuttle Bus Stop

Authorized the University of Texas to relocate the University of Texas shuttle bus stop from West 5th Street to Campbell Street.

July 7, 1983

Gas Sales Contract

Approved gas sales contract between the City of Austin and Valero Transmission Company.

Public Hearings Set

Set public hearings on the Jollyville Road Annexation as follows:

July 19, 1983 at 4:00 p.m. at the site

July 21, 1983 at 5:15 p.m. in the Council Chamber

Contract for Gas

Authorized and approved a contract for the emergency purchase of 9 million cubic feet of natural gas per day for approximately thirty days at a total cost of approximately \$877,500.00.

EXECUTIVE SESSION

Mayor Mullen announced that Council would go into Executive Session pursuant to Article 6252-17 to discuss the following matter, and after such closed or executive session, any action to be taken will be done in open session.

City of Austin, et al v. Rugeley contemplated litigation  
- Section 2, paragraph e

## SELF FUNDED HEALTH INSURANCE PROGRAM

Frank Rodriguez, Director of Management and Budget, presented the City Manager Report on the Status of the Self Funded Health Insurance Program. He said that the fund has been examined for the past few months by the Personnel Department and the Budget Department. "We have projected a substantial funding short-fall for this fund and action is necessary to provide adequate funding for employees health insurance needs through the remainder of the fiscal year. A deficit of \$1.9 million is projected for this current fiscal year. City subsidies for employee dependent coverage have increased by approximately 268% above the previous fiscal year requirements and overall the City has experienced an 83% increase in dependent claims.

"The major causes of the deficit are as follows: The 81-82 figures may have been inadequate for health insurance projections. During the first three months of last fiscal year several of the claims were still being paid by Connecticut General, our private insurer. This is in the time frame before the self funding insurance was phased in. The taxes and local CPI for medical costs seem to indicate a 10%. However, looking at local hospital rate increases, medical cost inflation seems to be running at a much higher rate. Finally, retiree coverage was budgeted to be taken out of the Retirement System rather than from City Operating Funds. The Retirement Board felt that more analysis was necessary before the transfer of this financial responsibility was executed, therefore, in this fiscal year, retiree coverage is projected to cost \$625,000. We looked at various funding options to deal with this year's deficit and have provided two options to Council. One is additional increases in funding by the City and the other is increases in employee-dependent coverage deductions. At this time we will have six pay periods to meet funding requirements. The first option was to increase the City contribution by about \$42.00 per FTE and monthly employee/dependent care deductions by \$40.00 per child, \$80.00 per spouse and \$120.00 per family. This funding approach would have increased employee contributions to a level that the City would only be subsidizing the health category of the employee dependents at a 24% overall range. The second option to increase monthly contributions to a level that the City would subsidize health care costs at 24% in effect in 81-82. Option 2 seems to be the preferable approach at this time. The overall cost of the program has been significantly larger than expected, especially in the dependent care coverage category. Second, while not reaching the 81-82 24% subsidy rate for dependent coverage, it will restore some sort of market cost in the overall program. At this point, option 1, which was the larger % is too steep an increase for employees, so option 2 is recommended which will raise from the employee/dependent group, 50% and from the City funds 119% of the total additional revenues of \$1.9 million."

Mayor Mullen asked that this be included on next week's agenda for action. Councilmember Duncan asked the advantage and disadvantage of doing this now instead of at budget time when the health insurance program will be reconsidered. Mr. Rodriguez said the City would have to find additional funding over the \$1.7 million the City is contributing. We would have a \$265,000 shortfall and entering into the year with a 50% subsidy rate for employee/dependent. Without increasing the base for bringing in the revenue you are going to have to increase a much larger percent or make some significant structural changes in the program to pay for it during budget time. Mr. Meiszer, City Manager, said if at all possible it would be good to settle this year's problem this year without carrying it into next year and end in the black rather than in the red. Mr. Rodriguez said they will come at budget time with various options. Mayor Mullen said he thinks the City needs to consider using a firm other than Boon-Chapman.



PROGRAM - (Continued)

The following ordinances will be brought back on the July 14, 1983 agenda for consideration:

- (1) Consider an ordinance increasing employee dependent contributions for health insurance requirements in the amount of \$264,960.00
- (2) Consider an ordinance amending the following 1982-83 Fund Ending Balnces for a total amount of \$1,666,540 to meet employee health insurance requirements: General Fund, \$849,935; Electric, \$182,320; Water and Wastewater, \$133,323; Hospital \$349,973; and all other funds, \$149,989.

TELEPHONE SYSTEM REQUIREMENTS

Jerry James, Management and Budget, presented the City Manager Report on "Interim Solution to City Hall/City Annex Telephone System Requirements" by use of slides.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, voted to proceed with bidding on telephone system requirements for City Hall/City Annex Telephone System. (5-0 Vote, Councilmembers Rose and Shipman were absent.)

PUBLIC HEARING - ANNEXATION TO SPRINGWOOD MUD

Mayor Mullen opened the public hearing set for 2:00 p.m. to consider the request to annex 20.28 acres of land to the Springwood MUD.

Mr. German, Assistant City Manager, reviewed the request.

No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, closed the public hearing and adopted a resolution to approve the request by N.P.C. to annex 20.28 acres of land to the Springwood MUD. (5-0 Vote, Councilmembers Shipman and Rose were absent.)

ROLES OF BOARDS AND COMMISSIONS

Mayor Mullen introduced to Council a discussion of the roles and responsibilities of boards and commissions. "There has been some misunderstanding, I think, on what the purpose is of boards and commissions. There will not be an attempt by this Council to stop anyone from discussing anything or stymie discussion and ideas.

## ROLES - (Continued)

What we are trying to do is make sure that each board and commission understands what their charge is in this Council. They don't cross lines, they don't duplicate effort and that they also don't take the place of our staff. We are trying to make sure that we utilize them in the best way possible and they supply us with information so we can make good decisions up here. They initiate items in their area. They are created sometimes for that and should continue to do that, but we do think there has been a duplication of effort. Too many boards and commissions directing studies...many times they are costly studies. They are not approved or disapproved by the City Council and they should be because we are ultimately responsible for the budget and when boards and commissions have unlimited authority to demand studies of whatever they request, we have serious problems with having the staff complete their other work. We are going to be reviewing all of this and we ask all 450 people involved in boards and commissions to stand by and we will have a hearing on this and everyone can have their say. It will all be public."

Councilmember Duncan echoed the Mayor's remarks. He said the expense and time for staff requests need to be looked into. Councilmember Duncan said any needed information should not be denied to board and commission members. Mr. Meiszer, City Manager, said there will be a report shortly.

## ITEM NOT DISCUSSED

An item from Council, "Discussion of the Jollyville Road Area", was not considered because of a fuller report expected in the near future.

## SB 66 OPPOSITION

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, waived the requirement for three readings and finally passed an ordinance to contribute one cent per-capita (based on 1980 Census population) to the "Texas Municipal League Cable TV Defense Fund" to oppose SB 66. (5-0 Vote, Councilmembers Rose and Shipman were absent.) (Money will come from the franchise fee.)

This item was introduced to Council by Mayor Mullen

## SOUTH AUSTIN INFILL STUDY MORATORIUM

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, passed through FIRST READING ONLY, an ordinance amending the moratorium on the purchase of water and wastewater taps in the South Austin Infill Study Area to exempt projects for which a special permit was finally approved on the date the moratorium went into effect. (4-0 Vote, Councilmembers Rose and Shipman were absent, Councilmember Duncan abstained.)

## HARLEM CAB COMPANY, INC.

Council had before them a resolution to consider transferring the ownership of Harlem Cab Company, Inc. from Mr. M.J. Anderson, Sr. and Mr. M.J. Anderson, Jr. to the Great Southwestern Transportation Company, Inc.

Carlos Velasquez, vice-president, Roy's Taxi, said he would like more information. Dr. Benson, Director of Urban Transportation, said he will get the information. Councilmember Urdy expressed concern about having a taxi monopoly in Austin.

Terry Davis, representing Harlem Cab Company, asked that there be no delay in the transaction.

Mayor Pro Tem Trevino requested this item be brought back for consideration on July 21, 1983.

## BRACKENRDIGE INHOUSE ACCOUNTING SYSTEM

The Council, on Councilmember Spaeth's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving Brackenridge Hospital's purchase of a complete inhouse accounting system at a cost of \$350,400.00. (5-0 Vote, Councilmembers Rose and Shipman were absent.)

## PUBLIC HEARING TO BE CONTINUED

Mayor Mullen opened the public hearing set for 3:00 p.m. on the request by N.P.C. to create a 329 acre South Central Austin Growth Corridor MUD #1 and said the hearing would be continued on July 14, 1983 at 2:00 p.m.

Motion

The Council, on Mayor Pro Tem Trevino's motion, voted to continue the public hearing to July 14, 1983 at 2:00 p.m. (5-0 Vote, Councilmembers Rose and Shipman were absent.)

## HEARING ON ELECTRIC CODE TO BE CONTINUED

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, voted to continue the 3:00 p.m. continued public hearing on amending the Electrical Code to require all electrical installations in the City of Austin Underground Distribution Network Area to be wired in metal conduit pipe to August 11, 1983 at 3:45 p.m. (5-0 Vote, Councilmembers Shipman and Rose absent)

## HUMAN RELATIONS COMMISSION REPORT

John Darrouzet, chairman, Human Relations Commission, reported on the status and recommendations regarding the incidents surrounding the February 19, 1983 Ku Klux Klan rally. He referred to a letter which he had sent to Councilmembers. CITY CLERK DID NOT RECEIVE COPY. He also referred to the report. CITY CLERK DID NOT RECEIVE COPY. Mr. Darrouzet indicated there are six concerns of the Human Relations Commission and asked that the City Attorney draft an ordinance.

## ITEM PULLED FROM AGENDA

The Planning Commission report on Water and Wastewater Information was not discussed.

## ZONING HEARINGS

Mayor Mullen announced Council would hear the zoning cases scheduled for 4:00 p.m. Council heard, closed the public hearing, granted and instructed the City Attorney to draw the necessary ordinances to cover the following zoning changes:

C14	-83	MRS. VICTOR	5340-5346 Thunder	From Interim "AA" 1st H&A
	068	GLECKLER	Creek Road	To "LR" 1st H&A
		By James A. Edwards		RECOMMENDED (as amended)
				<u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, 5-0 Vote, Councilmembers Rose and Shipman absent)

C14	-83	WILLIAM B. AND	3718 Manchaca Road	From "A" 1st H&A
	072	AILEEN SHARP		To "O-1" 1st H&A
				RECOMMENDED
				<u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, 5-0 Vote, Councilmembers Rose and Shipman absent)

Ordinance Passed - Emergency Basis

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance on an emergency basis to cover the following zoning changes: C14-83-072, William B. and Aileen Sharp, 3718 Manchaca Road, from "A" 1st H&A to "O-1" 1st H&A. (5-0 Vote, Councilmembers Rose and Shipman absent.)

## ZONING HEARINGS - (Continued)

C14 -83 081	WILLIAMSON CREEK JOINT VENTURE By Geroge Yonge	Rear of 5200-5400 Nuckols Crossing Road, proposed ext. of Stassney Lane and proposed Possum Hollow Drive	From Interim "A" 1st H&A To "A-2" 1st H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
G14 -83 083	AUSTIN SAENGERRUNDE HOME COMPANY By Charles G. Trenckmann	Rear of 1607 & 1621 San Jacinto Street	From "B" 2nd H&A To "C" 2nd H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
G14 r-83 084	JACK K. DISMUKES By Charles S. Teeple	1408 Wheless Lane	From "BB" 1st H&A To "C" 1st H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
G14 -83 093	CITY OF AUSTIN PLANNING DEPARTMENT (part)	Barrington Oaks	From Interim "AA" 1st H&A To "AA" 1st H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
C14 -83 095	DAVID EARL & MARY ELIZABETH HOLT	5402 Jeff Davis	From "A" 1st H&A To "B" 1st H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
C14 -83 042	O.P. & PHILIP BOBITT By S. R. Sheppard	4510-4512 Teri Lane	From Interim "A" 1st H&A To "A-2" 1st H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
C14 h-83 014	BERGEN-TODD HOUSE By Connie Todd Ray Congress	1403-1405 South	From "C" 2nd H&A To "C-H" 2nd H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, 5-0 Vote,  
Councilmembers Rose and Shipman absent.)

C14 -83 020	CROW-SIMMONS- GOTTESMAN By Sanford L. Gottesman	2200, 2236 & 2250 Carmichael Blvd.	From "DL" 1st H&A To "B" 1st H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
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(On Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, 5-0 Vote,  
Councilmembers Rose and Shipman absent)

## ZONING HEARINGS - (Continued)

Ordinance Passed - Emergency Basis

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance on an emergency basis to cover the following zoning change: C14-83-020, Crow-Simmons-Gottesman, 2200, 2236 & 2250 Carmichael Blvd. from "DL" 1st H&A to "B" 1st H&A. (5-0 Vote, Councilmembers Rose and Shipman absent)

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C14 r-83	HEADWAY TEXAS, INC.	2104 East Anderson	From "DL" 1st & "GR"
061	By Thompson	Lane	"3" H&A
	Associates		To "B" 3rd H&A
			RECOMMENDED
			<u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, 5-0 Vote, Councilmembers Rose and Shipman absent)

Ordinance Passed - Emergency Basis

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance on an emergency basis to cover the following zoning change: HeadwayTexas, Inc., 2104 East Anderson Lane, from "DL" 1st & "GR" 3 H&A to "B" 3rd H&A. (5-0 Vote, Councilmembers Rose and Shipman absent.)

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C14 -83	UNIVERSITY	2207 San Antonio	From "B" 2nd H&A
077	PRESBYTERIAN	Street	To "C" 2nd H&A
	CHURCH		RECOMMENDED
			<u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, 5-0 Vote, Councilmember Rose and Shipman absent)

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C14 -83	PROVIDENT DEVELOP-	6102-6104 Hill Forest	From "A" 1st H&A
058	MENT COMPANY	Drive	To "A-2" 1st H&A
	By J. Morton		RECOMMENDED subject
			to agreement between
			neighbor and applicant.
			<u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, 5-0 Vote, Councilmember Rose and Shipman absent)

## ZONING HEARINGS - (Continued)

C14 -83 066	HIGHLAND HOSPITALITY, INC. By Howard Brunson	803-809 Tirado, also bounded by Middle Fiskville Road	From "C" 1st H&A To "C" 3rd H&A RECOMMENDED subject to 5' of right-of-way on Tirado. <u>GRANTED AS RECOMMENDED</u>
C14 -83 070	THOMAS E. HUGHES	3418 Blumie Street	From Interim "A" 1st H&A To "GR" 1st H&A RECOMMENDED subject to parking lot use and existing use. <u>GRANTED AS RECOMMENDED</u>
C14 -83 071	CAPITAL CITY STEEL COMPANY By Brad Shearer	6717 Circle S. Road	From Interim "A" 1st H&A To "DL" 1st H&A RECOMMENDED subject to to restrictive covenant to allow access to adjacent property owners through easement. <u>GRANTED AS RECOMMENDED</u>
C14 -83 076	ROBERT L. PHILLIPS	402 West 44th Street	From "A" 1st H&A To "BB" 1st H&A RECOMMENDED "BB" tied to site plan. <u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, 5-0 Vote,  
Councilmember Rose and Shipman absent.)

C14 -83 078	FLOYD CANTWELL By Thomas A. Goebel	4505 Spicewood Springs Road	From Interim "A" 1st H&A To "O-1" 1st H&A RECOMMENDED subject to site plan. <u>GRANT AS RECOMMENDED</u>
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Mr. Lillie reviewed by slides. He said the land use in the immediate vicinity is an office project directly to the east of the application and across the street there are some condominium developments and a veterinarian clinic and churches. Planning Commission feels "O" is appropriate and a site plan should be submitted so they can see the character of the land development in relation to other things going on on the street.

Scott Roberts, representing the applicant, listed the conditions the developer agrees to:

## ZONING HEARINGS - (Continued)

1. The building will be limited to no more than 35 ft. in height.
2. The building will not exceed more than 20,000 square feet of gross heated area.
3. We will not have impervious cover that exceeds 80%.
4. The exterior finishes will be masonry and glass. The use of the glass will be limited to no more than 70% of exterior surfaces.
5. All mechanical and elevator equipment that is roof mounted will be screened from view.
6. All building signs will meet the zoning ordinance requirements for "O-1" zoning.

Tom Goebel, applicant, asked Council for their approval.

(On Councilmember Duncan's motion, Councilmember Urdy's second, 5-0 Vote, Councilmembers Shipman and Rose absent)

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C14 -83	AUSTIN SCOTTISH	201 W. 18th Street	From "B" 3rd H&A
049	RITE COMPANY, INC.	200 & 204 West 17th	To "C" 3rd H&A
	By R. Alan	Street & 1700-1710	RECOMMENDED subject to
	Haywood	Colorado Street	10' setbacks.
			<u>GRANTED AS RECOMMENDED</u>

Mr. Lillie reviewed by use of slides.

Dr. Bob Slobaugh spoke in opposition. He feels it will affect the Capitol views corridor.

Mr. Lillie said there has been an agreement to a 10' setback from the street.

Alan Haywood said the zoning is proper because the other property in the area is already zoned "C".

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, (5-0 Councilmembers Shipman and Rose absent.)

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C14 -72	CHAPPELL	1500 blk. E. Anderson	RECOMMENDED amendment
015	INVESTMENTS, LTD.	Lane	to Restrictive Covenant
	By David Armbrust		

GRANTED AS RECOMMENDED

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 5-0 Vote, Councilmembers Shipman and Rose absent.)



## ZONING HEARINGS - (Continued)

C14-80	NASH PHILLIPS COPUS	One Oak Trail & 4800	RECOMMENDED amendment
114	By Bill Carson	Blk. of McCarty Lane	to Restrictive Covenant
			<u>GRANTED AS RECOMMENDED</u>

(On Councilmember Duncan's motion, Mayor Mullen's second, 5-0 Vote, Councilmembers Rose and Shipman absent.)

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C14	-82	KARL H. MOELLER,	1514-1516 Parkway	To approve site as submitted on May 10, 1983, subject to relocating garage on unit A from the East to the south, Unit A is to be constructed on Pier and beam, turfstone is to be used on driveway when possible. <u>GRANTED AS REQUESTED</u>
	132	TRUSTEE		

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 4-0 Vote, Councilmember Spaeth abstained, Councilmembers Rose and Shipman absent.)

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C14-80	NASH PHILLIPS COPUS	6400 Brush Country	RECOMMENDED to approve
114	By Bill Carson		site plan.
			<u>GRANTED AS RECOMMENDED</u>

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 5-0 Vote, Councilmember Rose and Shipman absent.)

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C14-83	LEFFLER MILLWORK	6813, 6813B, 6813C &	From "A" 1st H&A
067	COMPANY	6815 McNeil Road	To "D" 2nd H&A
	By Howard Dorris	also bounded by	NOT RECOMMENDED
		Technology Blvd.	RECOMMENDED "D" 2nd,
			save and except for that
			portion of the subject
			tract located between
			Technology Blvd. and a
			line drawn 60' parallel
			to the property line
			which abutts Technology
			Blvd., subject to right-
			of-way as required to
			create 45' on McNeil
			Road from centerline.
			<u>GRANTED AS RECOMMENDED</u>

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 5-0 Vote, Councilmembers Rose and Shipman absent.)

## ZONING HEARINGS - (Continued)

Zoning Case Heard - Action on July 14

Council heard the following zoning case, closed the public hearing and will take action on July 14, 1983 at 3:45 p.m.

C14 -83	RICHARD SIEVERS	1604 E. 11th Street	From "B-H" 2nd H&A
075	(For ROBERT SIEVERS)		To "O-H" 2nd H&A
	By Leslie Johnson		RECOMMENDED subject to
			restrictive covenant
			to tie zoning to
			proposed use; zoning
			will rollback in the
			event the use ceases.

CLOSED PUBLIC HEARING - ACTION 7/14/83  
(On Councilmember Duncan's motion, Councilmember Urdy's second, 5-0 Vote, Councilmembers Rose and Shipman absent.)

Mr. Lillie reviewed by use of slides.

Ms. Leslie Johnson, representing the applicant, Dr. Eric Comstock, said the proposed use will be a medical physician's office. Dr. Comstock is a medical toxicologist. He proposes to renovate the structure as historic and make necessary changes to operate as his medical office. Proposed staff size is three or four and daily patient count would be ten to 20. Parking will be at the rear of the property with insignificant traffic increase on East 11th Street. Ms. Johnson said the Holy Cross Church next door to the area approves the zoning change. She passed a letter to Council which she asked to be put on record. CITY CLERK DID NOT RECEIVE.

Dr. Eric G. Comstock, applicant, explained the practice of medical toxicology. He said his practice will consist of people seen by appointment who have a disease process related to some type of poison. A lot of his practice deals with medical/legal issues, environmental pollution, injuries on the job due to substances such as lead, arsenic, mercury, and the effects of asbestos on workers. Dr. Comstock emphasized his practice is not a detoxification program. It has nothing to do with alcohol or alcoholics. It deals with poisonous substances as they occur in the work place and in our environment and problems of adverse reactions that occur to drugs from time to time in a patient's treatment for an illness.

Susan Phillips, realtor, said no offer has been made to keep the house as a single-family residence. She said it would take \$250,000 to restore the property and favors the re-zoning.

James E. Moseley, O.B. Conley who are both residents of the area oppose the zoning change.

Dr. Exalton Delco spoke in support of the zoning change.

Mayor Mullen said the public hearing would be closed and a vote taken next week when all Councilmembers are present. Councilmember Urdy said he could not support "O" zoning.

(On Councilmember Duncan's motion, Councilmember Urdy's second, to close the public hearing and vote next week. (5-0 Vote, Councilmembers Rose and Shipman absent.)

## ZONING HEARINGS - (Continued)

Action Postponed

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, postponed action on the following zoning cases because Councilmember Shipman, who was out of town, requested the cases be pulled for discussion. (5-0 Vote, Councilmembers Rose and Shipman absent.)

- C14 -83 M. D. THOMSON & 1000-1010 Banister From "A" 1st H&A  
073 WILLIAM M. BROOKS Lane & 3708-3818 To "O" 1st H&A  
By Miguel "Mike" Garden Villa Lane RECOMMENDED  
Guerrero TO BE HEARD 7/14/83  
AT 4:00 P.M.
- C14 -83 MT. BONNELL SHORES 4114-4400 Mt. Bonnell A 22-unit residential  
008 SECTION ONE, LOTS Road P.U.D.  
1-22, P.U.D. EXISTING ZONING: Interim  
By LRB Joint Venture, "LA" & "A", 1st H&A  
H.H. Wiener, and Mt. TO BE HEARD 7/14/83 AT 4:00 P.M.  
Bonnell Shores  
Venture
- C14-83 JOHN B. HOWELL 1107 W. 45th Street From "A" 1st H&A  
069 By Elvis G. 4421 Bellvue Avenue To "O-1" 1st H&A  
Schulze RECOMMENDED (as amended)  
subject to restrictive  
covenant, access to  
West 45th only, 5'  
of right-of-way on  
Bellview, restricted  
to law office use,  
rollback to "A" once  
use discontinues.  
TO BE HEARD 7/14/83 AT 4:00 P.M.
- C14 -83 C. B. FRANCIS 10609 & 10820 From Interim "AA" 1st H&A  
092 By Jean Bringol Jollyville Road To "BB" 1st H&A  
RECOMMENDED subject to  
dedication of 70' of  
right-of-way to  
accommodate the proposed  
extension of Braker Lane.  
TO BE HEARD 7/14/83 AT 4:00 P.M.

## ZONING HEARINGS - (Continued)

C14 -83 ROBERT & RICHARD 11715 Bell Avenue From "AA" 1st H&A  
085 JENKINS To "O" 1st H&A  
By Barry M. NOT RECOMMENDED  
Campbell RECOMMENDED "O" 1st with  
25' buffer of "A" on  
northernmost property  
line.

TO BE HEARD 7/14/83 AT 4:00 P.M.

-83 WILLIAM R. 1400 Lorrain Avenue From "B" 1st H&A  
087 DICKINSON To "O" 1st H&A  
By William D. Brown NOT RECOMMENDED

TO BE HEARD 7/14/83 AT 4:00 P.M.

C14 -83 JAY JOHNSTON 3404 Glenview From "A" 1st H&A  
033 By Wm. Terry Bray 3405 Jefferson To "O" 1st H&A  
NOT RECOMMENDED

TO BE HEARD 7/14/83 AT 4:00 P.M.

C14 -80 J. L. WATSON 9501 North Lamar RECOMMENDED amendment  
239 COMPANY, INC. also bounded by to Restrictive Covenant  
By Bob Harbin Longspur

TO BE HEARD 7/14/83 AT 4:00 P.M.

C14r-83 SYLVION KIVLIN 5917-6599 South From Interim "A" 1st H&A  
044 IH-35 To "GR" 1st H&A  
RECOMMENDED

TO BE HEARD 7/14/83 AT 4:00 P.M.

## ADJOURNMENT

Council adjourned its meeting at 5:37 p.m.